

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH LEONE, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

S. TREZEVANT MOORE, JR., et al.,

Defendants.

Case No. C-07-4073-PJH

CLASS ACTION

[PROPOSED] ORDER APPOINTING
CHARLES BREGENZER AS LEAD
PLAINTIFF AND APPROVING LEAD
PLAINTIFF'S SELECTION OF LEAD
COUNSEL

1 Having considered the motion of Charles Bregenzer for appointment as lead plaintiff, and for
2 approval of lead plaintiff's selection of lead counsel, and good cause appearing therefor, IT IS
3 HEREBY ORDERED that:

4 1. The motion is GRANTED;

5 2. The Court, having considered the provisions of §21D(a)(3)(B) of the Securities
6 Exchange Act of 1934 ("Exchange Act"), hereby determines that Charles Bregenzer is the "most
7 adequate plaintiff" and satisfies the requirements of the Private Securities Litigation Reform Act of
8 1995, 15 U.S.C. §78u-4(a)(3)(B);

9 3. The Court hereby appoints Charles Bregenzer as Lead Plaintiff in the above-entitled
10 action; and

11 4. Lead Plaintiff's selection of Lead Counsel for the class is approved. Coughlin Stoia
12 Geller Rudman & Robbins LLP is appointed Lead Counsel for Lead Plaintiff and the class under
13 §21D(a)(3)(B)(v) of the Exchange Act, 15 U.S.C. §78u-4(a)(3)(B)(v).

14 * * *

15 **ORDER**

16 IT IS SO ORDERED.

17 DATED: _____

18 THE HONORABLE PHYLLIS J. HAMILTON
19 UNITED STATES DISTRICT JUDGE

20 Submitted by:

21 COUGHLIN STOIA GELLER
22 RUDMAN & ROBBINS LLP
23 DARREN J. ROBBINS
24 TRICIA L. McCORMICK

25 s/ TRICIA L. McCORMICK
26 TRICIA L. McCORMICK

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8 [Proposed] Lead Counsel for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 9, 2007.

s/ TRICIA L. McCORMICK

TRICIA L. McCORMICK

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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